



**REGULAR MEETING  
MINUTES  
for  
February 28, 2002  
Art Pick Council Chamber  
3900 Main Street, Riverside, CA**

Present: Commissioners Brewer, Floyd, Garcia, Gardner, Goldware, Hendrick, Howe, and Huerta

Absent: Commissioner Egson

Chairperson Howe called the meeting to order at 6:07 p.m. and led in the Pledge of Allegiance.

Motion was made by Commissioner Goldware and seconded by Commissioner Huerta to approve the minutes for the January 2002 monthly meeting and the February 11, 2002 case review meeting. The motion passed unanimously.

Chairperson Howe was having trouble seeing because of eye surgery the previous week, so he asked that Vice-Chair Brewer chair the meeting.

**Executive Director's Report & Comments**

Mr. Williams said that the CPRC Annual Report would be presented to Council on Tuesday, March 5, 2002, noting that we were No. 31 on the agenda. He also said that there were several copies were placed on the back table for the public.

Mr. Williams presented Commissioner Goldware with a commemorative gift from the Commission to thank him for his service to the City. Commissioner Goldware decided not to accept reappointment and his term ended February 28, 2002.

**Commissioner's Comments**

Several commissioners spoke, thanking Commissioner Goldware for serving, for his insight and playing the "Devil's Advocate" in several situations and helping them to see things from a different perspective. They stated that they enjoyed working with him, that he was a good addition to the group and that he would be missed.

Vice-Chair Brewer spoke about the sub-committee that was looking into the possibility of extending the authority of the Commission into some other areas. He stated that the sub-committee would be meeting with the Police Chief, City Attorney, and the City Manager regarding this issue.

Commissioner Hendrick stated that he thought the Mayor's State of the City Address was a very nice event. He said that he thought the Mayor gave a very good speech and touched on a lot of good areas. He said it made him proud to be on a commission and serving the city and being part of Riverside.

## **Public Comments**

### **Mr. Art Garcia**

Thank you, Mr. Chairman, members of the Commission. I have several points to make that are actually not on the agenda and I would like to start off by congratulating Commissioner Goldware. I'm going to miss your wit and the dialogue and, quite frankly, I think that you and I pretty much were on the same wave-length in many discussions and it's always good to have somebody that agrees with you. I'm going to miss that. And there's other commissioners that have agreed with me in the past and I respect disagreement and everybody's opinion, but you've shown me that you "get it" and I'm going to miss that, so I wish you well.

The second thing I want to talk about is the recent article in the Press-Enterprise reference to racial profiling. There was an article, quite extensive article and I believe it was somewhat biased and there were some statements made reference that it was inaccurate in the data presented. But I have a couple of questions – one, would this commission, in any way, be involved in this issue. Secondly, if resulting in injury to a citizen, would the root cause be investigated if it were...involved racial profiling by the police? At what point would this commission get involved with that issue? So I'm curious as to...I don't recall that the City charter talks specifically at that type of situation or only if it's in result of injury or death to a citizen by a police officer.

Also, I believe that the Police Department has changed tremendously for the better. I think the PD has come along way. Public relations are pretty good, in my opinion, and I think that things are going well in Riverside; better than in the past. And I credit the leadership of the Police Department, the new chief and the administration, and also the officers and this commission and citizens, City Hall, everybody getting involved in trying to make this a better city and a better police department. Even the Attorney General's involvement, I think, had some impact on the changes, and I think they're changes for the positive and I congratulate the Police Department on change. Change is very difficult for people and for organizations, so I congratulate the PD on going in the right direction.

Lastly, I just wanted to comment that hopefully this isn't going to be a trend where we have, where you have these meetings on Thursday nights, the last Thursday of the month, because I'm dressed up here in preparation to go to Mayor's Night Out to represent the commission I sit on and so that starts at 7:00 so hopefully this meeting won't last too long or I'll just leave early and head out to that meeting.

So again, Commissioner Goldware, I wish you luck and I wish the new commissioner, Jim Ward, much luck and success. And having conversations with him in the past, I think he's going to be a great addition to this commission.

Thank you.

**VICE-CHAIR BREWER** – Don, would you like to address his question?

**MR. WILLIAMS** – You bet. First of all, with regard to the racial profiling, we really don't have anything...that's pretty much a Police Department and, I think, Attorney General thing that they're doing. I've not been approached about it by anybody and so I just don't... Until asked we won't know how to serve or when to serve, whatever like that. So at this point, we've not been asked anything, so the answer's no.

With regard...and I'm not real clear on the second question, Art, but our ordinance states that we get involved if there's been a death as a result of a police action. And at this point in time, that has to be a death unless there's a complaint associated...then we would get involved as far as that's concerned. But without a complaint, the only way we get involved in the matter is if there is...an officer shoots and kills a citizen. So, does that answer your question? I wasn't real...

**MR. GARCIA** – I was under the assumption that not only a death, but an officer-involved shooting if there was somebody that got shot that automatically this commission would investigate that action. I would assume, if there was racial profiling involved in the shooting, in the incident or the beating, whatever caused the death of the citizen, and that was part of the complaint of the citizen or an organization on behalf of the citizen, I would assume that that would generate the investigation process, if there is a complaint alleging racial profiling as the cause.

**MR. WILLIAMS** – Yeah, if there's a complaint, we will. But barring a complaint, the only way we can get involved is if there's...the way the ordinance reads now, is a death. Shooting and missing, shooting and wounding doesn't cut it.

**MR. GARCIA** – And I wondered if, Don, if it were within the purview of this commission, per the ordinance, to even get involved with the racial profiling issue. And so I wasn't knowledgeable or aware of that.

**MR. WILLIAMS** – You know, I suppose that if we were asked to do so by, let's say, City Council or something like that, we could do it. Frankly, the current staff couldn't handle it. We'd have to have funds to hire people and this type of thing and set it up like that because we're just simply not...we just can't handle that. We're maxed out now as far as work load's concerned, so there'd be a lot of logistics involved. Right now it's just strictly PD and, I believe, it's one of the parts of the stipulated agreement with the Attorney General that they do some sort of study on racial profiling. I'm not at all familiar with it so I really don't want to go any further than that because I'm really talking out of school then. But we haven't been asked to participate or anything.

**MR. GARCIA** – Well, you know, this parallels a previous comment that I made, an opinion that maybe this commission maybe should get into use of force issue and I believe that's been put aside to be looked at further. Maybe I missed the meeting where it came up, but I recall I did come here months past and expressed my opinion that I thought the Commission should get involved with use of force issues.

**VICE-CHAIR BREWER** – That's part of our meeting next Monday. That's one of the items on the agenda for that, so that is being looked at.

**MR. GARCIA** – Oh, okay, so it all kind of ties in together and I'm just basically wondering what this commission...what your purview is or what's your jurisdiction or authority and perhaps that is up to the City Council to expand that or further define that.

**MR. WILLIAMS** – And also, just sort of a note for you and the rest of the people, I don't know when it's going to occur, but I think it was last month or maybe the first part of this month when the Council was voting on a motion by Councilman Adkison about restructuring the committees and boards. One of the things that came out was they're going to have an annual review of the commissions and boards to see if there's any kind of change that needs to be made. I think they're primarily looking at structural change, like numbers of members and stuff like that. But I think, and this is what I've kind of advised the committee, is probably one of the things...after we meet with them and get their ideas, that would be – and we've been told we're going to be the first commission looked at, the first to get the review – that that would be a good forum to express concerns to the Council, because Council's going to be the one that has to expand and make the ultimate decision and if there's any expansion of current duties or whatever, it would have to go through them. I think that would probably be the perfect forum to at least bring it up. You know, I don't know that it would get any action this year. Again, there are a lot of...every time you

start talking about adding more duties, you have to have somebody to administer it and there are just a lot of costs like that that, frankly, the city's just not in the shape to pay right now. But maybe it's something that if it doesn't go this year, maybe a year, two years, something like that. That's where I would start.

**MR. GARCIA** – And if they did approve that, I would certainly be in your corner to advocate the funding to be able to achieve that directive. You guys, I know, are stretched pretty thin and money's tight, but I certainly would be one that would advocate very strongly for additional funding. Thank you.

### **Vote and appointment of 2002 CPRC Officers**

Vice-Chair Brewer said that Commissioner Egson could not be present due to a schedule conflict and asked if there were any objections to accepting her proxy vote. Commissioner Huerta made a motion to accept the proxy vote, which was seconded by Commissioner Garcia and unanimously approved.

Vote was made by ballot and counted by the Administrative Clerk.

During the counting of the ballots, Commissioner Goldware made the following statement:

I'd like to make couple of quick comments. First item is I'd like to thank the commissioners and the staff. I've thoroughly enjoyed and learned quite a bit during my time on the Commission. It's been very enjoyable. I'm absolutely convinced that the City of Riverside is better served by the people who are serving on this commission.

I'd also like to take this opportunity to welcome Mr. Ward to the Commission. I know that, from the little bit that I've heard about you, that your voice will be a good one and that you'll get to know the commissioners, if you don't already and it will be an enjoyable, but often times difficult experience as well, as it is for all of us. As, I think, in the case of almost everybody on this commission, I'm a long-time Riversider and as most of you know, as all of you know, the Commission was formed as an outreach of a very difficult time and a very hard situation that occurred in Riverside. And often times, there are good things that come from bad things. I believe that. And I am convinced that this commission, the work that the people do, and the dedication that they provide is something that has benefited not only the city and the Police Department, but all of the citizens. So I want to again congratulate Mr. Ward on his appointment to the Commission. I want to thank each of the commission members that I've been honored to serve with and the very nice comments and the very nice gift that's been provided – totally unexpected – and I very much appreciate it and value it.

And I'd also like to thank Mr. Garcia, for your kind words. You are obviously, besides your own service to the city, you're obviously a very dedicated person because there are not very many people that will come to other commissions unless there are volatile issues involved and you are here because you have interest and that always serves the city when people of good reason and thinking take the time to offer their viewpoints, and I encourage you to continue to do so and I thank you very much for your comments. Thank you.

Chairperson Howe announced the results of the voting. Vice-Chair Brewer was elected Chair and Commissioner Gardner was elected Vice-Chair. Each was a 5 – 4 vote.

Open session was adjourned at 6:34 p.m.

### **Closed Session – Case Reviews**

Pursuant to Government Code Section 54957, the Commissioners adjourned to Closed Session at 6:34 p.m. to review the following case(s) involving PUBLIC EMPLOYEE PERSONNEL MATTERS:

<u><b>CPRC CASE NO.</b></u>	<u><b>IA CASE NO.</b></u>
01-135	PC-01-263-259
01-136	PC-01-264-049
01-153	PC-01-312-083
01-156	PC-01-316-165
01-164	PC-01-339-187
01-167	PC-01-352-085
01-168	PC-01-352-279
01-169	PC-01-352-322

The Commission adjourned at 8:10 p.m.

Respectfully submitted,

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PHOEBE SHERRON  
Administrative Clerk